

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF CHARLESTON)	CIVIL ACTION NO.: 2021CP10
)	
MARIE ANNETTE LANE,)	
)	
Plaintiff,)	
)	
v.)	SUMMONS
)	<i>(Jury Trial Requested)</i>
)	
O'REILLY AUTOMOTIVE STORES, INC.,)	
STORE# 4631 AND TODD BITTNER,)	
STORE #4631 MANAGER)	
)	
Defendant.)	

TO THE DEFENDANT ABOVE-NAMED:

YOU ARE HEREBY SUMMONED and required to answer the complaint herein, a copy of which is herewith served upon you, and to serve a copy of your answer to this complaint upon the subscriber, at P.O. Box 457 Hampton, SC 29924, within thirty (30) days after service hereof, exclusive of the day of such service, and if you fail to answer the complaint, judgment by default will be rendered against you for the relief demanded in the complaint.

PETERS, MURDAUGH, PARKER, ELTZROTH
& DETRICK, P.A.

BY: s/ Mark D. Ball
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ATTORNEYS FOR PLAINTIFF

February 22, 2021
Hampton, South Carolina

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF CHARLESTON)	CIVIL ACTION NO.: 2021-CP-10-
)	
Marie Annette Lane,)	
)	
Plaintiff,)	
)	
v.)	<u>COMPLAINT</u>
)	<i>(Jury Trial Requested)</i>
)	
O'Reilly Automotive Stores, Inc., Store #4631)	
and Todd Bittner, Store #4631 Manager;)	
)	
Defendants.)	

The Plaintiff alleges:

1. The plaintiff is a citizen and resident of Colleton County, South Carolina.
2. The defendant, O'Reilly's Automotive Stores, Inc. is a foreign corporation authorized to do business in South Carolina. The defendant, Todd Bittner, was at all relevant times to this action, the store manager of the O'Reilly's Automotive Store located at 6161 Savannah Highway, Ravenel, South Carolina; that as the store manager, Mr. Bittner was responsible for the operation of the store, insuring that employees adhered to store policies and that the premises was kept in a safe condition; that Mr. Bittner is upon information and belief a citizen and resident of the State of South Carolina.
3. That on or about February 27, 2018, Plaintiff was a customer at O'Reilly's Auto Parts #4631 located at 6161 Savannah Highway in Ravenel, South Carolina; that while having her wind shield wipers replaced, a store employee under the direction of the manager was attempting to install the wiper blades but could not reach the left side wiper; that the employee, known as "Jessie" ask the Plaintiff to help her with the wiper; that as the Plaintiff walked around the front of her truck, she slipped in oil that had accumulated on the ground and fell; that as the Plaintiff fell, she hit a "parking stop" causing her to injury her back, hip, shoulder and knee as well as lose consciousness among other injuries; that as a direct and proximate result of the fall, the Plaintiff sustained serious, severe and permanent injuries as set forth below;

4. That the Plaintiff's injuries were due to and proximately caused by the negligence of the Defendants in the following particulars:

- (a) In failing to keep and maintain the area of the premises as are ordinarily used by customers in transacting business in a reasonable safe condition;
- (b) In failing to take reasonable precautions to avoid an Insafe condition from existing at said store;
- (c) In failing to warn customers of the dangerous condition then and there existing;
- (d) In failing to inspect said premises;
- (e) In failing to remedy the condition as required by law;
- (f) In failing to discover risks and to warn of or make safe existing unreasonable risks;
- (g) In failing to properly supervise and train employees on repairs and customer involvement in repairs and services;
- (g) In such other particulars that the evidence may establish.

5. By reason and in consequence of the aforementioned conduct of the Defendants, the Plaintiff, Marie Lane, sustained serious, severe and permanent injuries to several parts of her body; that the injuries were of such a nature as to require her to spend money for doctor's care and other medical necessities; that the Plaintiff has suffered and will continue to suffer great pain, humiliation and mental anguish.

WHEREFORE, Plaintiff prays for judgment against the defendant for actual damages, together with punitive damages in an appropriate amount, for the costs of this action, and for such other and further relief as the Court may deem just and proper.

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